



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to establish the California
Institute for Climate Solutions.

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Rulemaking 07-09-008
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**OPENING COMMENTS OF THE GREENLINING INSTITUTE
ON THE ORDER INSTITUTING RULEMAKING TO CONSIDER ESTABLISHING
CALIFORNIA INSTITUTE FOR CLIMATE SOLUTIONS**

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I. INTRODUCTION

The Greenlining Institute (Greenlining) offers the following comments on the Public Utilities Commission's Order Instituting Rulemaking to Consider Establishing the California Institute for Climate Solutions (CDSI).

This Commission, unlike too many federal regulatory agencies, has been a leader in addressing global warming and energy conservation. We file these comments in the context of our appreciation and respect for this leadership as described herein. This leadership can and should also continue this Commission's leadership on diversity issues as it relates to the major contractors.

However, throughout the California Solar Initiative (CSI) proceeding,¹ Greenlining continually urged this Commission to meaningfully include the needs of California's underserved and low-income communities so that *every* Californian would have the opportunity to benefit from this groundbreaking initiative. Despite Greenlining's urging to make CSI a democratizing vehicle for energy efficiency, CSI continues to exclude the 70 percent of Californians who live paycheck-to-paycheck from participating and benefiting from the solar revolution. CSI not only represents a missed opportunity for California's underserved communities; it also functions as a tax imposed on low-income ratepayers to subsidize the solar

¹ CSI Proceeding number

panels of California's wealthiest one percent. Although CSI's promise remains unfulfilled, this Commission now has a second opportunity to realize the opportunities that CSI created.

Like CSI, this proceeding seeks to make the CPUC a national leader in the green revolution by devising a "detailed final decision that is specifically tailored to best meet ratepayer needs."² This proceeding envisions implementing the proposal submitted by the University of California (UC) to establish the California Institute for Climate Solutions, which would develop "ways that will provide benefits to *all* Californians." (emphasis added)³ In order for the CPUC to lead California, this Commission must ensure that the CICS be capable of addressing the needs of California's diverse populace. CICS must therefore be established and directed by an entity that is committed to representing and serving California's diverse constituency. Unfortunately, UC and the UC system presently fail to meet these criteria. But by specific action, this Commission can take major steps to help UC and the UC system meet these criteria.

At all levels and by every measure, the UC system fails to represent the diversity of this state. Although Greenlining recognizes that government constraints limit the UC from fully maximizing on its ability to garner a diverse representation, it is apparent that the UC system has failed to achieve such diversity while other major public institutions in California have demonstrated that diversity is not only possible, but achievable. As such, the UC system must demonstrate how it will recommit to representing California's constituency as a prerequisite to proving that it can sufficiently serve this constituency through the CICS.

If UC is unable to do so, then Greenlining urges this Commission to consider the concurring opinion that "ratepayer funds [could be] better used in other areas of perhaps more

² OIR at 2.

³ *Id.*

immediate ratepayer benefit,” such as geothermal energy and major solar innovations investing in the myriad of promising technologies in the private sector that are poised to make monumental impact on climate change.⁴

Greenlining respectfully sets forth its recommendations, below, as to how UC, or any other prospective academic institution, can demonstrate its ability to serve California’s diverse community. Pursuant to the procedures set forth in the Scoping Memo, Greenlining also sets forth, below, its contention that evidentiary hearings are necessary.

II. CPUC’S VANGUARD OF CLIMATE SOLUTIONS MUST START WITH ENGAGING THE WORLD WITHIN CALIFORNIA’S BORDERS

This Commission underscores the importance of CPUC’s leadership in effectuating change by stating that “California must continue to be on the vanguard of solving the problem of climate change if we are to accomplish our goals.”⁵ But to be on the vanguard of solving a problem of such magnitude, the CPUC must incorporate a vision that engages the participation of all populations, especially the underserved. For example, this Commission in a wide range of decisions and actions demonstrated the impact of diversity in the context of mergers, rate proceedings, and OIRs.

This Commission realizes the need for an inclusive vision because it recognizes that “[o]ur [California] policies have impacts beyond our borders and effect change regionally, nationally, and globally.”⁶ This Commission should be lauded for having a vision that stretches beyond our own geographical borders. But in having this vision, the Commission must not forget the world that exists *within* California’s borders. People from across the region, nation, and globe are represented throughout the state of California. “Each year California’s population

⁴ Concurring Opinion of Commissioner John A. Bohn.

⁵ OIR at 3.

⁶ *Id.*

grows by close to a half million people,” most of whom will be people of color, more specifically, Latino.⁷

This Commission correctly surmises that this growth will put additional strain on the state’s environmental infrastructure.⁸ What is incumbent upon meeting this challenge is not just recognizing the strain, but also enlisting the participation of the very people who are increasing the size of this challenge. This Commission admits as much, stating that “California must draw on our collective financial and intellectual capital.”⁹ So not only is a more inclusive participation necessary to addressing climate solution, it also presents an opportunity. The opportunity is to get more people to actively engage under the premise of “think globally, act locally.” Because the world is represented in California’s diverse populace, “think globally, act locally,” takes on special, increased significance. Both the challenge and the solution lie in recognizing that to be a vanguard for impacting climate solutions across our borders, we must empower and democratize the world *within* our borders.

III. UC SYSTEM IS WHOLLY UNPREPARED TO CARRY OUT ITS OWN STATED MISSIONS

Greenlining fully agrees with this Commission in that we “must fully engage not only the public and private sectors, but in particular the academic community.”¹⁰ This Commission goes on to recognize that “the University of California, as *the* public university research institution in California,” that was asked to develop a proposal for CICS.(emphasis added)¹¹ As mentioned above, a legitimate and credible climate solutions institute must incorporate the interests and

⁷ OIR at 3 (www.lao.ca.gov/analysis_2007/2007_pandi/pi_02_anl07.aspx).

⁸ OIR at 4.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

needs of all Californians. The proposal developed by the University of California fails to do this, and is likely symptomatic of the University of California's own failure on diversity.

UC's proposal makes scant mention of underserved communities in its proposal.¹² Consequently, how underserved communities will be included seems to be expressed as an afterthought the few times this constituency is mentioned in this proposal. For example, Greenlining acknowledges the proposal's attempt to at least recognize that there should be a focus on the impact of climate change on marginalized communities.¹³ However, the proposal seems to discount the role of these marginalized communities when it asserts that "outreach to all communities, and impacts on natural resources must be minimized."¹⁴

A. No African-Americans or Latinos Granted Tenure in Business and Management, Communications, Computer Science, Geology, and History.

Greenlining also acknowledges that the UC proposal boldly states that it will "address from the outset issues of social and environmental justice for disadvantaged communities."¹⁵ However, Greenlining doubts that UC has the capacity to carry out its most basic missions due to its dismal rate of representation of Latinos and African-Americans. For example, one of its stated missions is to "[i]dentify and support researchers at all of the UC campuses and laboratories who can make a contribution to solving real problems related to energy, climate change, and quality of life."¹⁶ Greenlining's fear is that the UC system has an insufficient pool of diverse faculty from which to identify these researchers. Among all new faculty appointments at the UC in 2006, only two percent of these appointments (five people in total) were African-

¹² OIR Appendix.

¹³ *Id.* at 17.

¹⁴ *Id.*

¹⁵ *Id.* at 4.

¹⁶ *Id.* at 4.

Americans and a paltry five percent (16 total in total) were Chicano or Latino.¹⁷ Between fall of 2002 and spring of 2005, the following departments did not grant tenure to a *single* African-American, Latino or Native American faculty member at *any* of the UC campuses: Business and Management, Communications, Computer Science, Geology, and History.¹⁸ All math and engineering departments *combined* on *all* UC campuses appointed tenure to only *two* African-American, Latino or Native Americans over this three-year span, out of a total of 102 tenure appointments.¹⁹

B. No Science Pipeline

The track record for tenure appointments at UC physical science departments were just as grim during this same time period – a total of *two* under-represented minority appointments out of a total of 57 appointments.²⁰ By comparison, the California State University (CSU) system far outpaces the UC system in terms of racial parity among faculty. The percentage of African-American faculty members in the CSU system is double that of the UC system.²¹ As the evidence demonstrates, the glass ceiling over the UC system’s underrepresented faculty is formidable. Consequently, identifying a diverse pool of researchers from the UC system that represent California’s demographic makeup will not only be extraordinarily difficult, it may not even be feasible.

Another one of CICS’ lofty missions is to “[e]ducate and train a new generation of researchers and public officials to alter the direction of their research and contribute to achieving

¹⁷ <http://statfinder.ucop.edu>.

¹⁸ “UC Tenured Faculty, New Appointments 2002-03 to 2005-06,” University of California Office of the President, Sept. 2007.

¹⁹ *Id.*

²⁰ *Id.*

²¹ <http://statfinder.ucop.edu>.

a vision of a sustainable future.”²² However, finding the next generation of researchers and public officials from California’s underrepresented communities will likely be an extraordinarily difficult task for the UC system. Among all undergraduates in the UC system in 2006, only 17 percent were either Black, Latino or Native American even though 44 percent of California’s high school graduates were Black, Latino or Native American.²³ In contrast, 35 percent of the undergraduates in the CSU system were either Black, Latino or Native American.²⁴ Out of the more than 35,000 freshmen entering the UC in fall 2006, only three percent were African-American and only seven percent were Chicano or Latino.²⁵ Among the 4,800 freshmen enrollees at the University of California, Los Angeles (UCLA) in fall 2006, only 96 were African-American students.²⁶ Of these 96 African-American students, a mere 18 were African-American males not on athletic scholarships.²⁷

C. Board of Regents Finds Lack of Diversity

The Diversity Study Group, charged by the Board of Regents to examine diversity in the UC system, concluded in September 2007 that “at virtually every level – from undergraduate, graduate and professional school students to postdoctoral researchers to faculty and staff – African-Americans, Native Americans, Chicano-Latinos and, in many cases, women are not represented in sufficient numbers.”²⁸ Despite this finding, the Board of Regents only made vague commitments that showed no urgency at all to address this crisis. The lack of alarm

²² OIR Appendix at 4.

²³ “Undergraduate Enrollment for Black, Latino and Native Americans, 1992-2006,” California Post-Secondary Education Commission.

²⁴ “Application, Admissions and Enrollment of California Resident Freshmen for Fall 1995 through 2006,” University of California Office of the President. Fall 2007.

²⁵ <http://statfinder.ucop.edu>.

²⁶ Letter from Janina Montero, Vice Chancellor – Student Affairs at UCLA, to Robert Gnaizda, June 21, 2006.

²⁷ *Id.*

²⁸ “Overview to the Regents,” Study Group on University Diversity, September 2007 at 5.

among the UC Board of Regents amid such dire findings demonstrates that the UC system's leadership may have given up on UC's proud legacy of diversity and social progress.

Entrusting more than a half billion dollars of ratepayer monies funded mostly by underrepresented and underserved constituencies to a system that has given up on these constituencies is not only inadvisable, but it also endangers the CPUC's efforts to become the vanguard for environmental leadership.

D. Poor Supplier Diversity Record

UC has failed despite requests over the last decade from Greenlining to provide transparent data on supplier diversity. The data available, however, shows that on many UC campuses less than one percent of the contracts are afforded to African-American owned businesses and less than two percent to Latino and Asian owned businesses. Overall, it appears that all the major regulated utilities have a supplier diversity record that is 5-10 times better than UC. Greenlining intends to make additional efforts to secure UC's transparency with supplier diversity.

E. Why Not Stanford?

Greenlining will be attempting to provide comparable data relating to Stanford University, which is clearly the equal of UC in intellectual and scientific prestige.

Entrusting more than a half billion dollars of ratepayer monies funded mostly by underrepresented and underserved constituencies to a system that has given up on these constituencies is not only inadvisable, but it also endangers the CPUC's efforts to become the vanguard for environmental leadership.

IV. GREENLINING RECOMMENDS FULL TRANSPARENCY AND DETAILED PLANS FOR DIVERSITY THAT MATCH THE CPUC’S COMMITMENT TO DIVERSITY

In order for this Commission to continue to lead California in the energy revolution with CICS, the University of California must make concrete commitments to match the CPUC’s efforts in diversity. This should not be a problem for the University if UC follows through on its proposal that it is “prepared to make a major personnel, infrastructure, and public-engagement commitment to this Institute.”²⁹

As a priority, Greenlining urges this Commission to require a detailed and specific short-term and long-term plan for how UC will first make all of its campus populations at every level become more representative of the state’s population. This includes increased transparency, and if needed improvement, in its supplier diversity programs modeled after CPUC’s General Order-156. At the university level, implementing supplier diversity guidelines will build its credibility as an entity that serves all Californians. At the CICS level, implementing a supplier diversity program will allow Women, Minority, and Disabled Business Enterprises (WMDBE), one of the fastest growing sectors in California, to see how financially beneficial the renewable energy industry can be for them. Since these businesses tend to be smaller and less centralized it will also mean that more California communities and localities will see the benefit of these funds than would if the contract were given to one or two corporations. Even though UC is not a utility company, receiving a substantial grant funded by ratepayers necessitates that this Commission scrutinize UC’s GO-156 compliance. Until such time, UC should be on par with other academic and policy institutes as candidates for the proposed funds.

²⁹ OIR Appendix at 3.

Any grant to UC for CICS should not be approved until the UC can unequivocally demonstrate through this strategic plan that CICS will make the needs of California's underserved and diverse populations a top priority in its efforts and re-commit to diversity as a core value of the UC university system. For example, UC must present a strategic plan of how its student, staff, and faculty populations, both at the undergraduate and graduate student level, will attain parity with the state's diverse population in the near future (i.e. within 5 years) and maintain such parity.

The proposal further states that the "annual research and education agenda will be published along with a request for grant proposals."³⁰ These annual agendas should specifically report on the progress of meeting the needs of underserved populations. Also, solicitation of grant proposals must be specifically designed to enlist the full participation of underserved and low-income advocacy groups and organizations.

Greenlining is encouraged that UC is willing to make itself available for evaluation of recommended standards, stating that the "structure of the CICS will also allow for periodic external peer review and reassessment of overall priorities and goals."³¹

The CICS Governing Board should be charged with appointing the Institute's top leadership, including but not limited to the Director, Advisory Board, Stakeholder Committee and Steering Committee. The Governing Board should also be charged to make sure that all appointments reflect the diversity of California's populace.

Implementing rigorous standards for diversity in a CICS grant that matches the CPUC's own commitment to diversity serves to increase the level of participation for more communities in this state and is consistent with this Commission's recent efforts with the Insurance

³⁰ OIR at 7.

³¹ OIR Appendix at 5.

Commissioner, CalPERS and the State Bar. Increasing the level of participation through a CICS grant will fulfill the goal of this Commission to “ensure that ratepayer funds will maximize ratepayer benefits” and is consistent with the OIR’s question asking how the Commission can ensure that CICS’s educational outreach and worker training programs reach diverse communities in California.³²

V. IF UC AND CICS CANNOT DEMONSTRATE IMMEDIATE BENEFITS FOR CALIFORNIA’S DIVERSE CONSTITUENCY THIS COMMISSION SHOULD LEVERAGE OTHER PROMISING OPPORTUNITIES

Greenlining strongly supports this Commission’s aim to “ensure that ratepayer funds will maximize ratepayer benefits.”³³ Although Greenlining believes UC should be afforded a fair opportunity to make progress on its diversity efforts, Greenlining respectfully reminds this Commission that there are a myriad of other opportunities on how \$600 million can be used to make a more immediate and lasting impact for California’s ratepayers. Should UC be unable to promptly and assiduously demonstrate how they are able to meet the standards set by this Commission, Greenlining recommends other possible more cost effective avenues or capabilities.

The latest edition of the *U.S. News & World Report* offers a sampling of the many promising technologies that this Commission’s \$600 million can leverage to maximize benefits to all ratepayers.³⁴ According to Vinod Khosla, co-founder of Sun Microsystems and an investor of emerging energy efficiency technologies, “Building a biofuels plant here and a solar plant there is not enough unless we can replace 50 percent and hopefully 100 percent of the fossil

³² OIR at 5, 10.

³³ *Id.* at 5.

³⁴ Lavelle, Marianne, U.S. News & World Report, “Power Revolution,” November 5, 2007 edition.

energy sources.”³⁵ Unfortunately, this goal is not anywhere within the foreseeable future.³⁶ Conventional employment of solar technology is predicted to provide only 4.2 percent of the nation’s energy by 2030.³⁷

What is more promising are cutting-edge technologies that are poised to make a far broader impact. For example, by re-utilizing solar panels from rooftops to the desert, PG&E recently announced that it will provide nearly five times the amount of solar power being produced in the U.S. and do it “cheaper, bigger, and faster.”³⁸ Industry engineers suspect that this will be a highly successful endeavor because there is enough solar-accessible desert in California to provide six times the power that this state uses today.³⁹

The U.S. is also the “world’s biggest mass producer of geothermal power...that generate more electricity than all U.S. wind and solar energy combined.”⁴⁰ Just two percent of the country’s geothermal resources could yield “nearly 2,000 times the power that the nation now consumes each year.”⁴¹ And with just \$1 billion on development over the next 15 years, geothermal energy could provide 10 percent of all the nation’s energy needs.⁴² Surely, if \$600 million was used just in California, 30-50 percent of all our state’s energy needs could be met.

Each year billions of dollars are invested in venture capital for new technology, including an increasing amount for new technologies to decrease global warming. This Commission in its

³⁵ *Id.* at 46.

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.* at 47.

³⁹ *Id.* at 48.

⁴⁰ *Id.*

⁴¹ *Id.* at 50.

⁴² *Id.*

decision should consider requiring the successful applicant to secure matching funds of at least 4:1. This would produce \$3 billion rather than \$600 million.

Some possible sources include major foundations, including the Gates and Google Foundations. Other sources include the Norwegian \$300 billion petroleum reserve fund that is specifically authorized to invest in new energy conservation technologies. Similarly, Dubai and other Arab Emirate States, flushed with hundreds of millions of dollars of oil revenue, have made clear their interest in alternative energy sources.

Greenlining is prepared to assist this Commission and the successful applicant in identifying some of these sources of billions of dollars of revenue that could within 20 years free California from any dependence on coal or foreign oil.

Greenlining underscores the assertion that “[w]hat should concern this Commission about this proposal is what is not discussed.”⁴³ UC has a long way to go before it can even demonstrate the minimum competency required to direct the CICS. Even if UC succeeds in demonstrating its competency, investing \$600 million to examine the conventionalities of an unremarkable technology that is progressing at a snail’s pace does not seem to fulfill this Commission’s stated goal to provide maximum benefit to the ratepayers. Greenlining, thus, urges this Commission to explore other possibilities in which ratepayer funds can be used to have a “broad and immediate Statewide impact,” particularly since UC fails to meet this Commission’s high diversity standards.⁴⁴

VI. REQUEST FOR EVIDENTIARY HEARINGS

Greenlining respectfully requests the initiation of evidentiary hearings after a reasonable time in which all parties have the opportunity to reply to opening comments. Evidentiary

⁴³ Concurring Opinion of Commissioner John A. Bohn.

⁴⁴ *Id.*

hearings are legally required in the present proceeding because there are numerous indications that the UC and the UC system does not meet the CPUC's high standards on diversity. In order to ensure that the UC meets this Commission standards, thereby keeping in line with CPUC precedent on diversity, evidentiary hearings are necessary. The potential material contested issues of fact are listed below. Evidence for all the material issues below are the reports cited in these Comments:

- 1) Whether there is a disparity between the percentage of tenure-track faculty at the University of California who are African-American as compared to the percentage of the African-American population in California.
- 2) Whether there is a disparity between the percentage of tenure-track faculty at the University of California who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.
- 3) Whether there is a disparity between the percentage of tenure-track faculty at the University of California who are Asian or Pacific Islander as compared to the percentage of the Asian or Pacific Islander population in California.
- 4) Whether there is a disparity between the percentage of tenure-track faculty in the University of California campuses as a whole who are African-American as compared to the percentage of the African-American population in California.
- 5) Whether there is a disparity between the percentage of tenure-track faculty at the University of California campuses as a whole who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.

- 6) Whether there is a disparity between the percentage of tenure-track faculty at the University of California campuses as a whole who are Asian or Pacific Islander as compared to the percentage of the Asian or Pacific Islander population in California.
- 7) Whether there is a disparity between the number of African-American faculty and the number of White faculty at the University of California who are offered tenure.
- 8) Whether there is a disparity between the number of Latino or Chicano faculty and the number of White faculty at the University of California who are offered tenure.
- 9) Whether there is a disparity between the number of Asian or Pacific Islander faculty and the number of White faculty at the University of California who are offered tenure.
- 10) Whether there is a disparity between the number of African-American faculty and the number of White faculty at the University of California campuses as a whole who are offered tenure.
- 11) Whether there is a disparity between the number of Latino or Chicano faculty and the number of White faculty at the University of California campuses as a whole who are offered tenure.
- 12) Whether there is a disparity between the number of Asian or Pacific Islander faculty and the number of White faculty at the University of California campuses as a whole who are offered tenure.
- 13) Whether there is a disparity between the percentage of undergraduate students at the University of California who are African-American as compared to the percentage of the African-American population in California.

- 14) Whether there is a disparity between the percentage of undergraduate students at the University of California who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.
- 15) Whether there is a disparity between the percentage of undergraduate students at the University of California who are Southeast Asian as compared to the percentage of the Southeast Asian population in California.
- 16) Whether there is a disparity between the percentage of undergraduate students in the University of California campuses as a whole who are African-American as compared to the percentage of the African-American population in California.
- 17) Whether there is a disparity between the percentage undergraduate students at the University of California campuses as a whole who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.
- 18) Whether there is a disparity between the percentage of undergraduate students at the University of California campuses as a whole who are Asian or Pacific Islander as compared to the percentage of the Southeast Asian population in California.
- 19) Whether there is a disparity between the percentage of all students (undergraduate, graduate and professional) at the University of California who are African-American as compared to the percentage of the African-American population in California.
- 20) Whether there is a disparity between the percentage of all students (undergraduate, graduate and professional) at the University of California who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.

- 21) Whether there is a disparity between the percentage of all students (undergraduate, graduate and professional) at the University of California who are Southeast Asian as compared to the percentage of the Southeast Asian population in California.
- 22) Whether there is a disparity between the percentage of all students (undergraduate, graduate and professional) in the University of California campuses as a whole who are African-American as compared to the percentage of the African-American population in California.
- 23) Whether there is a disparity between the percentage all students (undergraduate, graduate and professional) at the University of California campuses as a whole who are Latino or Chicano as compared to the percentage of the Latino or Chicano population in California.
- 24) Whether there is a disparity between the percentage of all students (undergraduate, graduate and professional) at the University of California campuses as a whole who are Asian or Pacific Islander as compared to the percentage of the Southeast Asian population in California.
- 25) Whether the University of California has a supplier diversity program.
- 26) Whether the University of California campuses as a whole has a supplier diversity program.
- 27) Whether the percentage of contracts awarded to African-American-owned firms by the University of California exceeds one percent of all contracts awarded by the University.
- 28) Whether the percentage of contracts awarded to Latino or Chicano-owned firms by the University of California exceeds two percent of all contracts awarded by the University.

- 29) Whether the percentage of contracts awarded to Asian or Pacific Islander-owned firms by the University of California exceeds two percent of all contracts awarded by the University.
- 30) Whether the percentage of contracts awarded to African-American-owned firms by the University of California campuses as a whole exceeds one percent of all contracts awarded by the University.
- 31) Whether the percentage of contracts awarded to Latino or Chicano-owned firms by the University of California campuses as a whole exceeds two percent of all contracts awarded by the University.
- 32) Whether the percentage of contracts awarded to Asian or Pacific Islander-owned firms by the University of California campuses as a whole exceeds two percent of all contracts awarded by the University.

VII. CONCLUSION

For the reasons stated above, Greenlining respectfully requests that this Commission's final decision implement the recommendations set forth above, and that the Commission stay open to the possibility of investing the \$600 million allocated to CICS to more promising ventures committed to diversity.

Dated: November 2, 2007

Respectfully submitted,

/s/ Robert Gnaizda
Robert Gnaizda
The Greenlining Institute

/s/ Samuel S. Kang
Samuel S. Kang
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VERIFICATION

I, Samuel Kang, am a representative of the Greenlining Institute and am authorized to make this verification on the organization's behalf. The statements in the forgoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the forgoing is true and correct.

Executed this 2nd day of November, 2007, at Berkeley, CA.

/s/ Samuel Kang

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CERTIFICATE OF SERVICE

I, Jacqueline Palms, am 18 years of age or older and a non-party to the within proceeding.
I am a resident and citizen of the State of California with a business address at the Greenlining
Institute, 1918 University Avenue, Second Floor, Berkeley, CA 94704 and telephone number
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On November 2, 2007 I caused the following document:

**OPENING COMMENTS OF THE GREENLINING INSTITUTE
ON THE ORDER INSTITUTING RULEMAKING TO CONSIDER ESTABLISHING
CALIFORNIA INSTITUTE FOR CLIMATE SOLUTIONS**

to be served upon all interested parties of record in R. 07-09-008 named in the official
service list via e-mail to those whose e-mail address is listed in the official service list and via
first class mail to those whose e-mail address is not available.

I certify that the foregoing is true and correct.

Executed in Berkeley, California November 2, 2007.

/s/ Jacqueline Palms

Jacqueline Palms

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